

25, 1919, was labeled in part, "Del Monte Brand California Tuna * * * Distributed by California Packing Corporation * * * San Francisco, California," and in 408 cases of the shipment of October 2, 1919, was labeled in part, "Radio Brand Blue Fin White Meat Tuna Selected White Meat of California Tuna White Star Canning Co., San Pedro, Calif."

Adulteration of the article was alleged in the libel for the reason that in 222 cases skip-jack, also known as bonita, a kind of fish other than tuna fish, had been mixed and packed with, and substituted in part for, California tuna fish, which the article purported to be, and in 408 cases striped tuna fish (*Gymnosarda pelamis*), a kind of fish other than California tuna, had been mixed and packed with, and substituted in part for, California tuna fish, which the article purported to be.

Misbranding of the article was alleged in that the labels on the packages and the designs and the devices thereon, regarding the article and the ingredients and substances contained therein, were false and misleading, to wit, in the case of 222 cases the statement, "California tuna," and in the 408 cases the statement, "Blue Fin White Meat Tuna * * * Selected White Meat of California Tuna * * * Blue Fin Tuna * * *." Further misbranding was alleged in that the products were imitations of, and offered for sale under the distinctive names of, other articles, to wit, California tuna.

On February 20, 1920, the White Star Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7848. Adulteration and misbranding of saccharin. U. S. * * * v. 20 Pounds of Alleged Saccharin. Default decree of condemnation and forfeiture. Product ordered sold or destroyed. (F. & D. No. 9403. I. S. No. 5937-r. S. No. C-995.)

On October 19, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 pounds of alleged saccharin, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on or about August 1, 1918, by H. E. Ward, Webster Groves, Mo., and transported from the State of Missouri into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it was sold under and by a name recognized in the U. S. Pharmacopœia, and that it differed from the standard of strength, quality, and purity as determined by the test laid down in the Pharmacopœia, official at the time of the investigation, and in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, "A Soda Salt of Pure Saccharin," was false and misleading in that it indicated that the article was a salt of pure saccharin, whereas it was not, but contained 29.5 per cent of a sugar product, and in that it was an imitation of, and offered for sale under the name of, another article, to wit, saccharin.

On September 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the

court that the product be sold or destroyed by the United States marshal, in conformity with section 10 of the act. Costs of the proceedings were taxed against H. E. Ward, consignor of the product.

E. D. BALL, *Acting Secretary of Agriculture.*

7849. Misbranding of Alkano. U. S. * * * v. 30 Bottles of Alkano. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11015. I. S. No. 2193-r. S. No. W-447.)

On July 23, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 bottles of Alkano, at Los Angeles, Calif., alleging that the article had been shipped by the Alkano Remedy Co., Kansas City, Mo., on or about March 28, 1919, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Alkano * * * For rheumatism, blood poison, and its attendant ills and after effects."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, plant extractives, including resins, saponin, strychnine, glycerin, invert sugar, alcohol, and water. Mercury salts were absent.

Misbranding of the article was alleged in that the statements on the label on the bottle containing the article, regarding the therapeutic effects of the article, to wit, "Alkano * * * For rheumatism, blood poison, and its attendant ills and after effects, scrofula, old sores, ulcerous conditions, skin diseases, constitutional catarrh, stomach trouble, auto toxemia, run-down condition, and kindred ailments * * *," were false and fraudulent in that the contents of each of the bottles contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for the article.

On September 15, 1919, no claimant having appeared for the property, judgment of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7850. Adulteration and misbranding of oil of sweet birch. U. S. * * * v. 19 Pounds of a Product Purporting to be Oil of Sweet Birch. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 12114. I. S. No. 545-r. S. No. E-1930.)

On January 19, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 pounds of a product purporting to be oil of sweet birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about January 5, 1920, by J. E. Ray, Elk Park, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article was alleged in that it was sold under a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the